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August 14, 1997

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Mr. William F. Caton Acting Secretary Federal Communications Commission 1919 M Street, N.W., Room 222 Washington, D.C. 20554

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Re:

ET Docket No. 95-177

Dear Mr. Caton:

Please be advised that the Critical Care Telemetry Group sent the attached Engineering Statement today to Richard M. Smith, Julius Knapp, Michael J. Marcus, and John Reed. Two copies of this statement are hereby submitted for the public record in this proceeding pursuant to 47 C.F.R. § 1.1206(a)(1).

If there are any questions regarding this matter, please contact the undersigned.

Sincerely,

Henry Goldberg

Attachment

cc:

Richard M. Smith Julius Knapp

Michael J. Marcus

John Reed

No. of Copies rec'd

PHILIP A. RUBIN & ASSOCIATES, INC.

COMMUNICATIONS ENGINEERING AND ECONOMICS 1350 CONNECTICUT AVENUE, N.W. — SUITE 610 WASHINGTON, D.C. 20036

ENGINEERING STATEMENT

Vacant Channel Availability Based on Final ATV Allotment Table

In May 1995 and August 1996, Philip A. Rubin & Associates, Inc. (PAR) was asked by the Critical Care Telemetry Group (CCTG) — consisting of Hewlett-Packard Company Medical Products Group, Marquette Electronics, Inc., Pacific Communications, Siemens Medical Systems, Inc., and SpaceLabs Medical, Inc. — to study the impact of the FCC's proposed advanced television (ATV) transmission plan on CCTG's proposal that biomedical telemetry devices be permitted to operate, on a Part 15 basis, on certain vacant VHF and UHF frequencies. Specifically, those studies were undertaken to determine the availability of such vacant channels for use by biomedical telemetry devices following implementation of the ATV transmission plan.

On April 21, 1997, the FCC released the Sixth Report and Order (FCC 97-115) providing the final ATV allotment plan. PAR was asked to update its previous studies using this final table of allotments.

The following criteria were used in all three studies:

- The 20 top television markets were considered;
- A single latitude and longitude was used for each market area;
- Only channels 20 50 were considered, both NTSC and ATV; and
- The criteria for "availability" (i.e., if a channel/station is further than 113.2 km (70.34 miles) from the market area, then that NTSC channel or allotted ATV channel are "available").

The allotment table released in August 1996 contained no reference coordinates. Therefore, that study was done by making a correspondence to the reference coordinates provided in the previous table released in May 1995. Fortunately, the Sixth Report and Order which published the final allotment table did contain reference coordinates. Accordingly, this study was able to be done using current reference coordinates.

The results of the study are listed in the attached table. For comparison purposes, the table contains the results of the August 1996 study and the results based on the April 1997 FCC allotment table.

PHILIP A. RUBIN & ASSOCIATES, INC.

COMMUNICATIONS ENGINEERING AND ECONOMICS 1350 CONNECTICUT AVENUE, N.W. — SUITE 610 WASHINGTON, D.C. 20036

As reflected in the attached study, there are at least two channels available in each market area except San Francisco. In the case of San Francisco, that market area lost the one available channel it had in the August 1996 analysis.

Neil McElroy

Philip A. Rubin & Associates, Inc.

Attachment

VACANT CHANNEL AVAILABILITY (BETWEEN 20 - 50)

```
New York, New York
     August 1996 - 20 26 29 30 32 35 46 48
                         - 20 26 32 34 35 46 48
     April 1997
Los Angeles, California
     August 1996 - 20 23 29 39 42
April 1997 - 20 21 23 25 27 29 31 33 45
     April 1997
Chicago, Illinois
     August 1996 - 22 24 28 30 33 34 35 36 39 40 42 45 46
April 1997 - 22 23 24 25 28 30 33 34 35 39 41 42 46 48 49
Philadelphia, Pennsylvania
     August 1996 - 20 22 27 28 33 38 41 42 44 45 47
April 1997 - 20 21 24 28 30 33 38 41 44 45 47 50
Detroit, Michigan

August 1996 - 22 23 26 32 35 39 40 46 47 48 49

April 1997 - 22 23 26 27 32 35 47 48
Boston, Mass.
      August 1996 - 26 29 31 35 40 42 45
April 1997 - 24 26 45
     August 1996
 San Francisco, California
     August 1996 - 46
      April 1997
 Cleveland, Ohio
     August 1996 - 22 24 26 30 32 35 38 40 42 44 50
April 1997 - 22 24 29 35 38 40 44 48 50
 Washington, DC
                        - 21 23 25 27 31 42 43 44 47 49
- 21 23 25 31 43 44 47 49
     August 1996
      April 1997
 Pittsburgh, Pennsylvania
      August 1996 - 20 23 31 32 35 39 41 44 47 48 49
April 1997 - 23 28 31 32 35 39 44 47 49
 St. Louis, Missouri
      August 1996 - 20 22 23 25 27 28 29 31 32 33 36 38 39 40 42 43 44 45 49 50 April 1997 - 20 22 23 25 27 28 29 32 33 34 36 38 41 42 44 45 48 49 50
 Dallas/Fort Worth, Texas
      August 1996 - 20 22 25 26 28 34 40 44 48
April 1997 - 20 22 25 26 28 34 38 44 50
 Minneapolis, Minnesota
     August 1996 - 20 24 25 31 35 36 38 39 42 43 46 47 48 49
April 1997 - 20 24 25 30 31 33 36 38 39 42 43 46 47 48 49
 Baltimore, Maryland
      August 1996 - 21 23 25 27 31
April 1997 - 21 25 31
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VACANT CHANNEL AVAILABILITY (BETWEEN 20 - 50) (Continued)

Houston, Texas

August 1996 - 21 23 25 33 34 36 40 50

April 1997 - 21 25 28 29 30 33 34 40 43 50

Indianapolis, Indiana

August 1996 - 22 24 26 28 31 33 34 36 38 39 41 43 45 48 50

April 1997 - 22 24 26 28 31 33 34 35 36 38 39 41 43 47 48 50

Cincinnati, Ohio

August 1996 - 21 23 25 27 32 35 36 38 40 42 44 46 47 49

April 1997 - 20 21 23 25 27 32 36 38 40 42 46 49

Atlanta, Georgia

August 1996 - 21 22 24 29 32 33 35 38 40 41 44 47 49

April 1997 - 24 26 29 31 32 33 35 40 41 42 45 47 49 50

Hartford, Conn.

August 1996 - 21 23 25 28 31 33 34 38 44

April 1997 - 25 28 31 38 41 44 50

Seattle/Tacoma, Washington

August 1996 - 21 26 29 30 31 34 36 38 40 42 46 47 48 49

April 1997 - 21 23 24 27 29 30 34 35 40 43 46 47 49